UNITED
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General Assembly

Distr.
GENERAL

A/50/267
30 June 1995
ENGLISH
ORIGINAL: RUSSIAN

Fiftieth session
Item 114 of the preliminary list*

HUMAN RIGHTS QUESTIONS

Letter dated 30 June 1995 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

In accordance with General Assembly resolution 48/155 of 20 December 1993, I have the honour to transmit to you a memorandum on the human rights situation in Estonia which was circulated by the Russian delegation at a meeting of the Permanent Council of the Organization for Security and Cooperation in Europe (OSCE) in Vienna on 13 June 1995 (see annex).

I should be grateful if you would have this letter and its annex circulated as an official document of the General Assembly under item 114 of the preliminary list.

(Signed) S. LAVROV

* A/50/50/Rev.1.

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ANNEX

Memorandum on the human rights situation in Estonia circulated by the Russian delegation at a meeting of the Permanent Council of the Organization for Security and Cooperation in Europe in Vienna on 13 June 1995

1. The situation of the non-Estonian population following the completion of the withdrawal of Russian troops from Estonian territory has not only failed to stabilize but has actually worsened. The serious concern which the Russian delegation has repeatedly voiced on this matter continues to exist at the present time.

Despite the constant attention devoted to this issue by a number of international and human rights organizations, and notwithstanding various statements from the Estonian authorities about their good intentions, legislative and administrative norms which basically discriminate against the Russian-speaking population are being reinforced and enacted into law in the country. Attempts to initiate dialogue between all permanent residents of Estonia and the authorities have come to nothing. The recess in the work of the "round table" chaired by the President of the Republic of Estonia has now gone on for more than six months.

2. This year has already seen the adoption of two laws - on citizenship and language - which, while outwardly conforming to internationally recognized requirements, in the specifically Estonian context further restrict the rights and interests of hundreds of thousands of people.

The Law on Citizenship introduces significantly tougher conditions for acquiring citizenship by naturalization, raises the residency requirement and stipulates far more stringent requirements for knowledge of the Estonian language. In practice, the application of the law deprives a substantial proportion of the Russian-speaking population of the opportunity to acquire Estonian citizenship and bars the way to natural integration for non-citizens of Estonia.

The new Law on Language reinforces discrimination against persons who are not proficient in the State language in many spheres of social, industrial and cultural life which are important for all people. The law pointedly fails to provide for the possibility of instruction in one's native language, which encroaches on the interests of one in three permanent residents of the Republic.

3. The legislative system which has been established in Estonia to regulate the social, economic, property and civil rights of non-citizens instils in these people a sense of diffidence, anxiety for what the future holds, and a constant fear of being deported from Estonia. An incident which occurred this March in which a Russian citizen was forcibly expelled from the country without a chance to exercise his right to appeal against the actions of the authorities through the courts confirmed that this threat is quite real. A dangerous precedent was set for forcible deportation and failure to comply with generally accepted norms with regard to the rights of this alien, who had resided permanently and legally

in Estonia and whose wife, children and grandchildren were left behind in that country.

4. The nearing of the deadline for submission of applications for the granting of residence permits to aliens (12 July 1995) is causing justifiable alarm for nearly 200,000 permanent residents of Estonia. The lack of any legislative guarantees of equality of rights between permanent residents and persons with fixed-term residence permits means that people do not want to be transferred from the category of "permanent" to the category of "temporary" residents and be left "hanging in the air" for a number of years without any opportunity to take part in privatization, draw up invitations for relatives, receive benefits, and so forth.

Recommendations by international experts on granting permanent residence permits to people who had lived in Estonia before 1 July 1990 on the basis of residence permits of the Estonian Soviet Socialist Republic have been ignored by the Estonian authorities.

5. Discrimination has even crept into attitudes towards the Orthodox Church in Estonia, which is under the jurisdiction of the Moscow Patriarchate and has been declared an "illegal structure of the Russian Orthodox Church operating in Estonia". In violation of the Constitution of the Republic of Estonia and international norms, the authorities are blatantly interfering in the internal affairs of the Church by imposing a different canonical jurisdiction on it, spreading disinformation about its activities and actually embarking on the forcible confiscation of places of worship and Church property. The persecution of the Orthodox Church in Estonia is essentially directed not only against clergymen, many of whom were threatened with deportation in connection with problems regarding residence permits. It involves a violation of the rights of believers and a violation of freedom of worship as a whole.

6. It should be noted that with regard to article 15 of the Agreement on Social Guarantees for Russian Military Pensioners, which was signed by the Presidents of both Russia and Estonia, the provision on its application from the moment of signing is openly being ignored by the Estonian authorities. Prior to 1 April this year not a single military pensioner had received a residence permit. Over 10,000 of these pensioners are being deprived of the opportunity to privatize their apartments or receive permanent work permits, in violation of article 8 of the Agreement.

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Fiftieth session
Items 92 and 114 (c) of the
preliminary list*
THE SITUATION IN THE OCCUPIED
TERRITORIES OF CROATIA
HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS
SITUATIONS AND REPORTS OF SPECIAL
RAPPORTEURS AND REPRESENTATIVES

SECURITY COUNCIL
Fiftieth year

Letter dated 30 June 1995 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General

I am writing to you concerning the letter addressed to you by Mr. Vladislav Jovanovic, Minister for Foreign Affairs of the "Federal Republic of Yugoslavia (Serbia and Montenegro)", of 13 June 1995 (A/50/219-S/1995/482) and, upon instructions from my Government, I have the honour to state the following.

In his letter, Mr. Jovanovic charges that the operation of the Croatian territorial defence and police forces in the western part of the Slavonia region of the Republic of Croatia represented a flagrant violation of all relevant Security Council resolutions. The fact is that the above-mentioned security action constituted a response to terrorist attacks, killings and kidnapping of Croatian citizens, as well as to the decision of the local Serb authorities to close down the Zagreb-Lipovac highway. These actions by local Serbs constituted a gross violation of both the cease-fire agreement of 29 March 1994 (S/1994/367, annex) and the economic agreement of 2 December 1994 (S/1994/1375, appendix I). As a result, the Republic of Croatia acted as any other sovereign State would under the circumstances in order to safeguard the lives of its citizens and to restore order on its territory.

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* A/50/50/Rev.1.

However, the manner in which Mr. Jovanovic describes the legitimate actions of the security forces of the Republic of Croatia clearly indicates that it is the "Federal Republic of Yugoslavia (Serbia and Montenegro)" which has no regard for the relevant Security Council resolutions. These resolutions have called for respect for the sovereignty and territorial integrity of the Republic of Croatia. However, by stating that Croatian security forces committed "aggression" and that they "occupied" western Slavonia, Belgrade's foreign minister clearly indicates that the "Federal Republic of Yugoslavia (Serbia and Montenegro)" does not consider the western part of Slavonia as an integral part of the territory of the Republic of Croatia. In addition, Mr. Jovanovic refers to those individuals who are part of the Croatian Serb paramilitary forces in Croatia as "members of the army of the Republic of Serbian Krajina", thereby recognizing an illegal and self-declared entity on the territory of the Republic of Croatia.

The position of Belgrade is, therefore, in contravention of relevant Security Council and General Assembly resolutions and is opposed to the basic tenets of the United Nations, which are based on respect for international borders and the principle of inadmissibility of the acquisition of territory through the use of force. Belgrade's position is also in direct opposition to the basic principle of the peace process in the region - that a lasting peace can only come about if there is mutual recognition by the successor States of the former Yugoslavia within their existing internationally recognized borders.

Mr. Jovanovic further states that "the principal goal of the armed action of Croatia was to annihilate the Serbian civilian population, terrorize it and complete the ethnic cleansing in Western Slavonia that Croatia began in 1991". Aside from not being true, this charge represents the most disdainful form of hypocrisy since it was Serbia and Montenegro which, from 1991 onwards, carried out the policy of ethnic cleansing which drove tens of thousands of ethnic Croats and other non-Serb citizens of Croatia from their homes and whose elite military units conducted the brutal assaults against Vukovar and Dubrovnik. It was because of its policy of ethnic cleansing in Croatia and Bosnia and Herzegovina that the Security Council imposed sanctions against the "Federal Republic of Yugoslavia (Serbia and Montenegro)".

I wish to draw your attention to the fact that the claims of Mr. Jovanovic are in conflict with your recent report pursuant to Security Council resolution 994 (1995) (S/1995/467 and Corr.1). That report states that the "Croatian Government has sought to encourage Serbs to remain" and that "the Croatian police have reportedly conducted themselves properly and with concern for the remaining Serbs". In regard to violations of human rights by government authorities, the report states that "these do not appear to have been systematic or part of a larger strategic design". These findings have been confirmed by the Special Rapporteur of the Commission on Human Rights as well as by reputable human rights organizations such as Human Rights Watch/Helsinki.

I also wish to remind you that the problem in western Slavonia is a consequence of Serbian aggression carried out in 1991 by the Belgrade authorities with the purpose of creating a "Greater Serbia". In the course of this aggression, tens of thousands of ethnic Croats, Czechs and other non-Serb residents of western Slavonia were killed or driven from their homes, while many

ethnic Serb residents were forcibly resettled by Serb forces into regions that had been ethnically cleansed of non-Serbs and were designated to become part of "Greater Serbia". Following the perverse logic of ethnic cleansing, ethnic Serbs were often evacuated prior to an attack against civilian targets in ethnically mixed regions so that Serb forces could conduct indiscriminate shelling and wholesale random killings, safe in the knowledge that among the victimized population there were no ethnic Serbs. Once the non-Serb population in these areas was killed or terrorized into fleeing, the ethnic Serb evacuees would be returned to retake their property as well as that of the non-Serb residents who had been ethnically cleansed. However, not all the parts of western Slavonia in which the local Serb population was evacuated were eventually occupied by Serb forces, leaving many Croatian Serbs in the position of displaced persons or refugees. This policy by Serb forces and the hostilities initiated by their aggression - rather than any supposed ethnic cleansing campaign by the Croatian Government - was the primary reason for the displacement of many ethnic Serbs from western Slavonia in 1991. It should be noted that, both in 1991 as well as recently, many of these ethnic Serbs have been resettled in eastern Slavonia (where Croats and other non-Serbs constituted the absolute majority prior to the war) in order to solidify Serbian occupation of that region, which is adjacent to Serbia.

I wish to refer to the document which I had previously submitted to you (A/49/719) which provides information from various independent sources confirming the information mentioned in the above paragraph.

It is not our intention to imply that there were no ethnic Serbs from the western part of the Slavonia region of Croatia who could legitimately be considered refugees and who, in 1991, left for justifiable reasons related to hostilities there. However, I wish to state that the misfortune which has befallen them, in 1991 and now, is the direct consequence of the policies of the Belgrade authorities who armed and organized many of them to fight as their proxies against the Croatian Government and against their fellow Croatian citizens. Having been instigated by Belgrade to serve as an instrument in a genocidal campaign against their neighbours and having been influenced by an incessant anti-Croatian propaganda campaign from Belgrade, many of these ethnic Serbs - even though most are not personally responsible for the crimes committed - have decided to leave rather than face their surviving neighbours who are returning to live in the region. This has occurred despite the fact that the Croatian Government has undertaken measures to ensure their safety and has appealed to them to stay.

In this regard, I wish to reiterate the position of the Croatian Government that those ethnic Serb citizens of Croatia who have left western Slavonia - and who have not committed war crimes - are free to return and that they will have their personal safety and respect for their human rights guaranteed by the Croatian Government. At the same time, I wish to state that representatives of the Belgrade authorities who have conducted policies that have resulted in the misfortune of these people - not to mention of ethnic Croats and others - have no legal or moral right to speak on their behalf or to try to place blame on the Croatian Government for the criminal policies which they have themselves conducted.

I would be grateful for your kind assistance in circulating the present letter as a document of the General Assembly, under items 92 and 114 (c) of the preliminary list, and of the Security Council.

(Signed) Mario NOBILO
Ambassador
Permanent Representative

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GENERAL ASSEMBLY
Fiftieth session
Item 114 (c) of the preliminary list*
HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

SECURITY COUNCIL
Fiftieth year

Letter dated 3 July 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Bosnia and Herzegovina to the United Nations addressed to the Secretary-General

The Government of the so-called Federal Republic of Yugoslavia (Serbia and Montenegro) has continued the recent forceful mobilization of ethnic Serb citizens of the Republic of Bosnia and Herzegovina who currently hold refugee status in the so-called Federal Republic of Yugoslavia, as reported by the Office of the United Nations High Commissioner for Refugees (UNHCR), the international, as well as the Serbian independent media. This forceful mobilization has encompassed even those persons who were residents of the Republic of Bosnia and Herzegovina prior to becoming residents of the Federal Republic of Yugoslavia. These forcefully mobilized persons are being dispatched immediately to the aggressor's paramilitary units. In a similar way mobilized ethnic Serb citizens of the Republic of Croatia, currently residing in the Federal Republic of Yugoslavia, are being sent to the battlefields in the Bihać region.

This mobilization is being carried out by the military police of the Pale Serbs with the full cooperation and support of the police and military authorities of the so-called Federal Republic of Yugoslavia.

The Government of the Republic of Bosnia and Herzegovina condemns these actions in the strongest terms. It considers them a most serious violation of the Federal Republic of Yugoslavia's decision to close the border and cut off, inter alia, all the contacts with the leadership of Bosnian Serbs, and an act of

* A/50/50/Rev.1.

continuing aggression carried out against our country. These actions represent a grave breach of the Geneva Conventions, international law and relevant Security Council resolutions, including resolutions 943 (1994), 970 (1995) and 988 (1995).

The Government of the Republic of Bosnia and Herzegovina requests that you undertake the appropriate measures in accordance with resolution 943 (1994), paragraphs 3 and 4, and recall the current regime of sanctions relief towards the Federal Republic of Yugoslavia.

May I ask for your kind assistance in circulating the present letter as a document of the General Assembly, under item 114 (c) of the preliminary list, and of the Security Council.

(Signed) Ivan Z. MISIĆ
Chargé d'affaires a.i.

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S/1995/543
6 July 1995

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GENERAL ASSEMBLY
Fiftieth session
Item 81 of the preliminary list*
MAINTENANCE OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Fiftieth year

Letter dated 6 July 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to transmit, enclosed herewith, a letter dated 5 July 1995 from His Excellency Mr. Vladislav Jovanović, Minister for Foreign Affairs of the Federal Republic of Yugoslavia, addressed to you.

I should be grateful if you would have the present letter and its annex circulated as an official document of the General Assembly, under item 81 of the preliminary list, and of the Security Council.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

* A/50/50/Rev.1.

ANNEX

Letter dated 5 July 1995 from the Minister for Foreign Affairs of Yugoslavia addressed to the Secretary-General

The decision of Germany to send its military personnel to the former Yugoslavia, i.e. the former Bosnia and Herzegovina, has caused understandable dismay, anxiety and serious concern in all sections of the Yugoslav public.

This decision, as you are well aware, is contrary to the rule according to which the troops of neighbouring countries and the former occupying countries are not to be engaged in the peace operation of the United Nations Protection Force (UNPROFOR). This act would be yet another serious infringement of the rule coming in the wake of the previous decision of the United Nations to engage Turkish troops in the former Bosnia and Herzegovina. In two world wars, Germany, as an aggressor, ruthlessly occupied the territory of the former Yugoslavia. In the territory of the former Bosnia and Herzegovina its armed forces carried out particularly monstrous atrocities and destruction against Serbs. A new presence of German troops in these territories would represent an open provocation and a threat to the peace process as well as to the stability of the region, which should be unacceptable to the international community.

It is also recalled that Germany played an exceptionally negative role in the initial phase of the Yugoslav crisis when it openly aided and abetted the secessionist republics of Slovenia and Croatia and was the first country to recognize their independence. This it did contrary to the position of the International Conference on the Former Yugoslavia in The Hague, according to which those republics were to be recognized only after a successful completion of the Conference, i.e. after the overcoming of political questions caused by their unilateral secession. Germany acted in the same way in the case of the former Bosnia and Herzegovina and exerted powerful pressure on other countries in the direction of its premature recognition despite the fact that the early recognition of Slovenia and of Croatia led to negative developments in the former Yugoslavia.

That this decision is very questionable indeed is reflected also in the fact that it has been taken at a time when some international factors continue to display their open bias in favour of one and to the detriment of the other side and peace, as well as of the entire peace process.

We also consider that the augmentation of military personnel and potentials in the former Bosnia and Herzegovina, even under UNPROFOR auspices, is not conducive to the improvement of negotiation conditions and a peaceful and just solution of the crisis but, on the contrary, that it enhances the possibilities for new provocations by the Muslim side, aimed at provoking an international military intervention against the Serbs in the former Bosnia and Herzegovina.

As is well known, the Federal Republic of Yugoslavia supports the role of UNPROFOR as a force which will keep, not impose, peace, calls for its full safety and condemns every act of violence against the peace force irrespective of the side it may come from. We consider that an equal treatment and impartial

attitude towards all parties to the conflict are the main preconditions both for the safety of the peace force and for UNPROFOR's contribution to the peace process. We are convinced that the dispatch of the German contingent can only worsen the situation.

It would only greatly discredit the United Nations peace force in these territories and put into question its good intentions and role as an impartial and objective factor. I am therefore writing to you with a request that the above reasons explaining the damage of a possible German presence in the territory of the former Yugoslavia be taken into account during the final consideration of the engagement of German troops by the United Nations. There are other acceptable and more effective ways for Germany, if it really wishes to do so, to make a contribution to the peace process and to demonstrate its importance and influence in Europe.

(Signed) Vladislav JOVANOVIĆ

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7 July 1995

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Fiftieth session
Item 23 of the preliminary list*

# RESTRUCTURING AND REVITALIZATION OF THE UNITED NATIONS IN THE ECONOMIC, SOCIAL AND RELATED FIELDS

## Chairman's report on prospective new modalities for funding operational activities for development

### Note by the Secretariat

At the consultations held on 26 June 1995, it was agreed that the report of the Chairman of the consultation process on prospective new modalities for funding operational activities for development should be transmitted to the General Assembly (see annex).

* A/50/50/Rev.1.

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Annex

CHAIRMAN'S REPORT ON PROSPECTIVE NEW MODALITIES FOR FUNDING OPERATIONAL ACTIVITIES FOR DEVELOPMENT

1. At its forty-ninth session, the General Assembly, on 19 September 1994, decided to extend the consultation process on prospective new modalities for funding of operational activities for development. The process had originally been set up at the forty-eighth session through paragraphs 31 to 34 of annex I to General Assembly resolution 48/162. Following consultations conducted by the President of the forty-eighth session of the General Assembly, Mr. T. P. Sreenivasan (India) had been chosen as Chairman.

2. The present report provides information on the status of consultations up to June 1995. Furthermore, it is recommended that the consultations should continue during the fiftieth session.

3. Summaries of previous consultations were circulated as documents A/49/749 of 2 December 1994 and A/49/922 of 24 March 1995.

4. To facilitate the consultations and in accordance with the request contained in paragraph 33 of annex I to resolution 48/162, the Secretary-General submitted two reports on the subject (A/48/940 and A/49/834) which were welcomed by participants in the consultations. A number of delegations expressed their readiness to examine all options contained in the reports; they considered that the reports offered a good basis for looking at various options and responded to questions raised in the course of the consultation process. Suggestions were offered on how best the examination of the options might be organized, including by looking at the likely impact of each option on the overall level of funding and the level of contributions.

5. The critical nature of the consultations was stressed. It was noted that the operational activities for development were beset by serious resource shortfalls. The importance of maintaining the fundamental characteristics of neutrality, multilateralism and the voluntary nature of contributions was reiterated. A general view was expressed that the funding of those activities had to be placed on a secure and predictable basis, and that there was an urgency to the question.

6. The issue of resource levels was considered to require a wider context than that provided by General Assembly resolution 48/162 and, although that did not mean reopening issues related to governance, it would, in addition to factors relevant for a new funding mechanism, as identified in resolution 48/162, also require consideration of a range of factors affecting levels of resources.

7. While a number of delegations expressed their readiness to examine all options contained in the Secretary-General's reports, others expressed their preference for the current, voluntary system.

8. It was noted that a positive outcome of the process of discussions on the funding for operational activities was the willingness to look for opportunities

for finding solutions, as had been witnessed at the annual session of the Executive Board of the United Nations Development Programme in June 1995, when new procedures included a predictable level of core resources.

9. It was agreed that the consultations should be extended and that further meetings should be scheduled within the framework of the fiftieth session of the General Assembly. It was also agreed that, in accordance with resolution 48/162, the process should aim at identification of a funding system and mechanisms that would generate substantial increases in resources on a predictable, continued and assured basis. In proceeding with the process, some of the relevant major issues should be considered, including the question of resource flows, the evaluation of resource requirements and issues of cost-effectiveness in the operational activities.

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Fiftieth session
Item 57 of the preliminary list*

# COMPLIANCE WITH ARMS LIMITATION AND DISARMAMENT OBLIGATIONS

## Note verbale dated 22 June 1995 from the Permanent Mission of Chile to the United Nations addressed to the Secretary-General

The Permanent Mission of Chile to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to inform him that on 25 May 1995, in a solemn ceremony, the instrument of accession of the Republic of Chile to the Treaty on the Non-Proliferation of Nuclear Weapons was deposited with the representatives of the Government of the United States of America, in the latter's capacity as depositary of the Treaty.

Chile's accession to this Treaty is the natural culmination of a long series of efforts in the field of nuclear non-proliferation and occurred just days after the conclusion of the Review and Extension Conference of States Parties to the Treaty. This decision was preceded by Chile's involvement in the development of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) and its full accession to that Treaty.

In acceding to the non-proliferation Treaty, Chile endorsed the documents produced during the Review and Extension Conference, trusting that the final decisions, particularly the decision setting out the principles and objectives for nuclear non-proliferation and disarmament, would be respected by all States. In that connection, Chile now notes with concern the announcement of the resumption of nuclear explosions by Powers possessing military nuclear technology, which could lead to a real escalation in testing in various parts of the world.

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* A/50/50/Rev.1.

Previously, the Government of Chile expressed its objections to the detonation of a nuclear device by the People's Republic of China on 15 May 1995, on the ground that it went against the spirit, principles and objectives of non-proliferation which had emerged at the Review and Extension Conference. At that Conference, the international community - including the Government of the People's Republic of China - adopted by consensus a call to conclude negotiations on a comprehensive nuclear test-ban treaty by 1996 at the latest. Until such a treaty comes into force, it is felt that the nuclear Powers should exercise the utmost restraint with respect to such tests.

In the same context, the Government of Chile has also objected to France's decision, announced on 14 June 1995, to resume nuclear testing for a limited period in the Muroroa Atoll in the South Pacific.

The Government of Chile, reaffirming a fundamental and permanent principle of its foreign policy, made an urgent appeal to the French Government to reconsider its decision, in the interests of the international community's commitment in matters of disarmament and global security.

The Permanent Mission of Chile would be grateful if the Secretary-General would arrange for the present note to be circulated as a document of the General Assembly under item 57 of the preliminary list.

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10 July 1995

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Fiftieth session
Item 65 of the preliminary list*

COMPREHENSIVE TEST-BAN TREATY

Letter dated 7 July 1995 from the Chargé d'affaires a.i. of the Permanent Mission of the Philippines to the United Nations addressed to the Secretary-General

I have the honour to bring to your attention the enclosed statement issued on 21 June 1995 by His Excellency President Fidel V. Ramos of the Republic of the Philippines on France's decision to resume nuclear testing in the South Pacific (see annex).

I would be grateful if the present letter and its annex could be circulated as an official document of the General Assembly under item 65 of the preliminary list.

(Signed) Ronald B. ALLAREY
Chargé d'affaires, a.i.

* A/50/50/Rev.1.

ANNEX

Statement on the French decision to resume nuclear testing in the South Pacific made on 21 June 1995 by the President of the Republic of the Philippines

I wish to inform you that I have written personally to His Excellency Jacques Chirac, the President of the Republic of France, conveying to him the deep concern of the Government of the Philippines over the decision of his Government to resume nuclear testing in the South Pacific.

I conveyed to the French President the Philippine view that a resumption of nuclear testing is inimical to the promotion of the kind of international climate we need in order to promote further nuclear arms control and disarmament. I reiterated the support of the Philippines for the eventual conclusion of a comprehensive nuclear test-ban treaty.

Our Department of Foreign Affairs also conveyed a diplomatic note to the French Embassy, and to the French Government through the Philippine Embassy in Paris, on the same subject. The note protested the French decision on the resumption of testing.

We sincerely hope that the Government and people of France will reflect carefully on the concern and sentiments that have been so clearly expressed by the members of the international community, and most especially by our friends in the South Pacific who will be most directly affected by any hazardous consequences of nuclear testing.

At this point, let me stress that the Philippines and France have traditionally enjoyed good relations in many fields. We will continue developing this relationship, which has proved to be mutually beneficial and which has the potential for even greater growth and diversification in the years ahead. It was precisely the intention of my visit to France last year to deepen and broaden our bilateral ties, considering that we have a great deal of interest in both countries to bring Europe and Asia closer together through our mutual interaction.

At the same time, we are dismayed at this decision of the French Government, which has tremendous implications for both international and regional security and stability. As a friend of France in the Asia-Pacific region, the Philippines calls on the French Government to recognize its responsibilities in a global context by seriously and immediately reconsidering its decision.

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10 July 1995

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GENERAL ASSEMBLY
Fiftieth session
Item 70 (l) of the preliminary list*
GENERAL AND COMPLETE DISARMAMENT:
NON-PROLIFERATION OF WEAPONS OF
MASS DESTRUCTION AND OF VEHICLES
FOR THEIR DELIVERY IN ALL ITS ASPECTS

SECURITY COUNCIL
Fiftieth year

Letter dated 3 July 1995 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith a statement made by the United States Government on 1 July 1995, the occasion of the twenty-seventh anniversary of the opening for signature of the Treaty on the Non-Proliferation of Nuclear Weapons.

May I ask for your kind assistance in circulating the statement as a document of the General Assembly, under item 70 (l) of the preliminary list, and of the Security Council.

(Signed) Madeleine K. ALBRIGHT

* A/50/50/Rev.1.

Annex

Statement on the occasion of the twenty-seventh anniversary of the opening for signature of the Treaty on the Non-Proliferation of Nuclear Weapons, 1 July 1995

On 1 July 1968, President Lyndon Johnson and representatives from 60 other countries signed the Treaty on the Non-Proliferation of Nuclear Weapons in the East Room of the White House. Since the Treaty was signed and entered into force in 1970, the Treaty on the Non-Proliferation of Nuclear Weapons has achieved truly historic importance.

As of 1 July 1995, over 170 countries have become non-nuclear-weapon States parties to the Treaty, thereby making a legally binding commitment not to develop or acquire nuclear weapons. In addition, each one of the 179 States parties, including the 5 nuclear-weapon States, has agreed to pursue negotiations in good faith on effective measures relating to nuclear disarmament, which remains our ultimate goal.

The last 12 months have been extremely productive for achieving our twin objectives of limiting the spread of nuclear weapons and reducing their number. Most importantly, in May 1995, the State parties to the Treaty on the Non-Proliferation of Nuclear Weapons decided, without conditions, that the Treaty would continue in force indefinitely in accordance with article X.2 of the Treaty.

Other recent developments have also contributed to reducing the threat of nuclear war.

Since 1 July last year, 15 countries have become parties to the Treaty on the Non-Proliferation of Nuclear Weapons as non-nuclear-weapon States, including Algeria, Argentina, Chile and Ukraine, all of which have peaceful nuclear facilities. There remain only 10 countries in the world that are not bound by the Treaty or other comparable agreements. Of these 10, only 3 countries have not placed all their nuclear facilities under International Atomic Energy Agency (IAEA) safeguards.

The United States has continued to dismantle nuclear weapons at a rate of between 1,000 and 2,000 per year. For the first time, the United States has placed nuclear weapons material from its stockpile under IAEA safeguards.

In December 1994, the United States and the Russian Federation, together with Ukraine, Belarus and Kazakstan, brought the Strategic Arms Reduction Treaty (START I) into force. Nine thousand nuclear weapons from United States and former Soviet strategic delivery vehicles will have been removed from deployment when the Treaty is fully implemented.

In his 21 January 1995 State of the Union address, President Clinton called upon the Senate to approve START II. The Senate responded by beginning START II hearings on 31 January. When START II is fully implemented, an additional

5,000 nuclear weapons will have been removed from the deployed arsenals of the United States and the Russian Federation.

Also in January, the United States extended its moratorium on nuclear-weapon testing until a comprehensive test-ban treaty enters into force, on the assumption that such a treaty will be signed by 30 September 1996.

In March, President Clinton announced that the United States would withdraw permanently 200 metric tons of nuclear weapons material from its stockpile. The United States will also reduce its stockpile of high enriched uranium from nuclear weapons by converting it to low enriched uranium for use in power reactors. The United States has also agreed to purchase 500 metric tons of high enriched uranium, previously used in dismantled Russian nuclear weapons, which has been converted to low enriched uranium for use in power reactors.

Also in March, the Conference on Disarmament agreed to establish an ad hoc committee to negotiate a multilateral ban on the production of fissile material for nuclear weapons or other nuclear explosive devices. The United States and the Russian Federation have agreed to cease production of plutonium for use in nuclear explosive devices. In April, the United Kingdom of Great Britain and Northern Ireland announced that it no longer produced fissile material for nuclear weapons.

In April, the United States, the United Kingdom of Great Britain and Northern Ireland, the Russian Federation and France harmonized their policies prohibiting the use of nuclear weapons against non-nuclear-weapon States that are parties to the Treaty on the Non-Proliferation of Nuclear Weapons except in the unlikely event of an attack by a non-nuclear-weapon State allied or associated with a nuclear-weapon State against a nuclear-weapon State or its allies.

On 11 April, the United Nations Security Council adopted by consensus resolution 984 (1995), setting forth, in unprecedented detail, the means by which to respond in the event that a non-nuclear-weapon State party to the Treaty on the Non-Proliferation of Nuclear Weapons is subject to nuclear aggression or threat of such aggression.

At the 1995 Treaty on the Non-Proliferation of Nuclear Weapons Review and Extension Conference, the parties to the Treaty agreed on an ambitious agenda including the adoption of the following measures and undertakings:

(a) Universal adherence to the Treaty on the Non-Proliferation of Nuclear Weapons as an urgent priority;

(b) A universal and internationally and effectively verifiable comprehensive test-ban treaty no later than 1996; pending entry into force of such a treaty, the nuclear-weapon States should exercise the "utmost restraint";

(c) A convention banning the production of fissile material for nuclear weapons or other nuclear explosive devices;

(d) The determined pursuit of systematic and progressive efforts to reduce nuclear weapons globally;

(e) The development of nuclear-weapon-free zones as well as the establishment of zones free of all weapons of mass destruction should be encouraged as a matter of priority;

(f) Full-scope IAEA safeguards as a condition of supplying nuclear equipment and material;

(g) Increasing the capability of IAEA to detect undeclared nuclear activities.

The Treaty on the Non-Proliferation of Nuclear Weapons parties also agreed to strengthening and making more substantive the Treaty's review process.

The United States fully supports this agenda and looks forward to its substantial implementation by the time of the next Treaty on the Non-Proliferation of Nuclear Weapons review conference in the year 2000. In this context, we continue to urge all of the nuclear-weapon States to join in a global moratorium on nuclear-weapon testing as we work to complete a comprehensive test-ban treaty at the earliest possible time.

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REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS

SECURITY COUNCIL
Fiftieth year

# Letter dated 10 July 1995 from the Permanent Representative of the United Republic of Tanzania to the United Nations addressed to the Secretary-General

I have the honour to forward herewith a press statement by the Acting Minister for Foreign Affairs and International Cooperation, the Honourable Samuel J. Sitta, delivered on 19 June 1995, regarding the explosive refugee situation in the United Republic of Tanzania, resulting from its neighbouring countries, Burundi and Rwanda.

I should be grateful if you could arrange to have the present letter and its annex circulated as a document of the General Assembly, under item 111 of the preliminary list, and of the Security Council.

(Signed) Daudi N. MWAKAWAGO
Permanent Representative

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ANNEX

Press statement by the Honourable Samuel J. Sitta, Acting Minister for Foreign Affairs and International Cooperation, delivered on 19 June 1995

The United Republic of Tanzania is at present hosting over 1,430,000 refugees. Refugees from Rwanda and Burundi constitute over half of this number. The track record of the United Republic of Tanzania regarding refugee influxes into the country since independence and the manner in which those unfortunate people have been welcomed and treated is undisputed. The United Republic of Tanzania has provided asylum to hundreds of thousands of refugees not only from Rwanda and Burundi but also from other countries such as Zaire, Somalia, Mozambique, the Sudan, Uganda, Malawi, South Africa, Namibia, Angola, Zimbabwe, the Comoros, Seychelles, Ethiopia, Cape Verde and even the former Yugoslavia. The Government has even given citizenship to some of those refugees, thus making them members of the Tanzanian community. But, after a period of time, refugees from nearly all neighbouring countries have gone back to their countries because peace, justice and the political situations in those countries improved. Quite different from that trend, refugees from Rwanda and Burundi, from 1993 to the present time, have continued to pour into the United Republic of Tanzania. Ethnic differences, and the lack of good governance and accountability, make these two countries refugee-generating States. The United Republic of Tanzania cannot afford to take more than it can absorb and any move from Burundi or Rwanda will be met with equal force. The world should understand us.

Speaking of Rwanda, reference should be made to the Arusha accord, particularly to the articles on power-sharing and the return of refugees. If we reread the accord, you will agree with the United Republic of Tanzania that the plight and the solution, by and large, are enshrined therein. In order to avoid any future outbreak of ethnic tensions in Rwanda, we call upon the Rwandan Government to create the correct political atmosphere in the country by creating a government of national unity, thus defusing any resentments that could lead to regroupings for a renewal of war in the subregion.

Efforts at implementing the Bujumbura plan of action, particularly after signing the tripartite voluntary repatriation agreement with the Government of Rwanda on 12 April 1995, have not helped much, even in restoring normalcy in the refugee camps. The implementation part of the initiative taken at the Nairobi regional summit, on 7 January 1995, has been a disappointment in that the international community has not been able to provide the required funds and logistical inputs. While the international community is putting pressure on the United Republic of Tanzania to accept its international obligation regarding refugees, more action should be taken with regard to international burden-sharing as far as the refugees are concerned.

As to Burundi, a new exodus of refugees was prompted by ethnic unrest and increased violence at the end of March 1995. Rwandan refugees who had settled in Burundi were forced out of their designated camps; yet, the international community expected the United Republic of Tanzania to continue to honour its international responsibility by accepting them on its soil while Burundi chased

them out. Double standards cannot be entertained, particularly at this time when mass migration threatens the very survival of our State. The Convention signed by the Government of Burundi in September 1994 offers a brilliant opportunity to solve the crisis. The ongoing killings do not augur well for a peaceful settlement of the conflict. We condemn, in the strongest terms possible, the ongoing carnage. No excuse whatsoever is acceptable to any civilized society. The Tanzanian Government, therefore, calls upon the Burundi Army and the opposing factional militia groups to respect human life. The role of the Army and of the Government is to protect the sovereignty of Burundi. We call upon present and past political leaders to stop advocating their political programmes based on ethnicity. This conflict must be resolved internally and the United Republic of Tanzania should not be expected to produce a miracle solution outside a framework involving internal forces. Owing to the prevailing political instability we are witnessing in Burundi, the United Republic of Tanzania will continue to deploy its troops along the border area in order to protect the Tanzanian local population, and in order to avoid further Burundi/Rwanda refugee influxes into the country.

The continued presence of refugees in the United Republic of Tanzania is a serious cause of insecurity for our country and a potential cause of conflict with our neighbours. In addition, the huge refugee population has a devastating effect on our country's economy, infrastructure and environment. Social services like water, health and education have deteriorated and food security has been endangered. Furthermore, some refugees are involved in criminal offences, thus increasing resentment by the local population.

While recognizing the spirit of solving the refugee problem, which was initiated by the United Republic of Tanzania during the reconciliation talks in Arusha, by the Presidents of the United Republic of Tanzania and Zaire at Gbadolite on 22 and 23 December 1994 and followed by the Nairobi summit in January 1995, it is pertinent that the onus of responsibility is on the authorities of both Burundi and Rwanda to create conditions conducive to the safe return of refugees to their countries of origin. The United Republic of Tanzania remains committed to the Convention on Refugees adopted by the Organization of African Unity in 1969 and our record on this is self-evident.

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